

IN RE PETITION FOR ZONING VARIANCE * BEFORE THE
Swan Point, N/S Second St., * ZONING COMMISSIONER
15 ft. N of c/i Cuckold Pt. Rd. * OF BALTIMORE COUNTY
2800 Second Avenue * Case No. 91-368-A
15th Election District
7th Councilmanic District
Eric B. Bowen
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests, pursuant to Petition for Zoning Variance, a variance from Section 1802.3.C.1 & S-4 (Policy Manual) to allow a lot width at front building line of 50 ft. and a side street setback of 14 ft in lieu of 55 ft. and 25 ft., to construct a single family detached house, as more particularly described on Petitioner's Exhibit No. 1.

The Petitioner appeared, testified and was represented by Jeffrey Cerquetti, Esquire. There were no Protestants.

Testimony indicated that the subject property, known as 2800 Second Avenue, consists of .17 acres +/-, zoned D.R.5.5., is located within the Chesapeake Bay Critical Area and is currently improved with an existing single family dwelling and detached garage.

The Petitioner testified that he is desirous a razing the existing house and constructing the proposed 26 x 40 ft. dwelling indicated on Petitioner's Exhibit No. 1.

Testimony indicated that the subject property is a corner lot abutting Second Street and Cuckold Point Road. Testimony indicated that the requested setback relief is from the aforementioned roadways and will not detrimentally impact the surrounding community.

After due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. Clearly, the request is not based upon conditions or circumstances which are the result of the Petitioner's actions, nor does the request arise from a condition relating to land or building use, either permitted or nonconforming, on another property. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 22nd day of May, 1991 that the Petition for Zoning Variance from Section 1802.3.C.1 & S-4 (Policy Manual) to allow a lot width at front building line of 50 ft. and a side street setback of 14 ft. in lieu of 55 ft. and 25 ft., to construct a single family detached

house be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition; and,

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management, as set forth in their comments dated 4/11/91, attached hereto and made a part hereof.

J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH/mm
cc: Peoples Counsel

ORDER RECEIVED FOR FILING
Date 5/22/91
By [Signature]

ORDER RECEIVED FOR FILING
Date 5/22/91
By [Signature]

ORDER RECEIVED FOR FILING
Date 5/22/91
By [Signature]

ORDER RECEIVED FOR FILING
Date 5/22/91
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

May 21, 1991

Jeffrey Cerquetti, Esquire
P O Box 0137
Timonium, Maryland 21093

RE: Eric B. Bowen, Petitioner
Petition for Zoning Variance
Case No. 91-368-A

Dear Mr. Cerquetti:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
J. Robert Haines
Zoning Commissioner

JRH/mm
encl.
cc: Peoples Counsel
cc: Mr. Eric B. Bowen

CRITICAL AREA 328
PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-368-A
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.C.1 & S-4 (Policy Manual) To allow a lot width at front building line of 50 feet & a side street setback of 14 feet in lieu of 55 feet and 25 feet to construct a single family detached house.
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
PRACTICAL DIFFICULTY IN MAKING SIZE OF USABLE HOUSE BE 15' WIDE, NO WAY TO MAKE REASONABLE USE OF PROPERTY IF 55' WIDE BUILDING FRONT FOOTAGE IS NOT RELAXED TO ALLOW EXISTING 50' WIDTH

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)
Signature _____
Address _____
(Type or Print Name)
City and State _____
Signature _____
Attorney for Petitioner: _____
(Type or Print Name)
Signature _____
Address _____
(Type or Print Name)
City and State _____
Signature _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
JEFFREY CERQUETTI 750-9963
City and State _____
P.O. Box 0137, TIMONIUM, MD. 21093
Attorney's Telephone No.: _____
Address _____
Phone No. _____

ORDERED By The Zoning Commissioner of Baltimore County, this 27 day of March, 1991, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 15 day of May, 1991, at 9 o'clock A.M.

ESTIMATED LENGTH OF HEARING - 1/2 HR. + 1 HR.
AVAILABLE FOR HEARING
MON./TUES./WED. - NEXT TWO MONTHS
ALL OTHER
REVIEWED BY: [Signature] DATE 2-25-91

328
CRITICAL AREA
91-368-A
ZONING DESCRIPTION
Beginning at the point on the North side of 2nd Street which is 25 feet wide at the distance of 15 feet North of the centerline of the nearest improved intersecting street Cuckold Point Road which is 30 feet wide. Being Lot # 19, Block # _____, Section # _____, in the Subdivision of Swan Point as recorded in the Baltimore County Plat Book # 9, Folio # 4, containing 7,500 square feet. Also known as 2800 2nd Street (21219) and located in the 15th Election District.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District: 1524
Date of Posting: 4/27/91
Posted for: Variance
Petitioner: Eric B. Bowen
Location of property: N/S Second Street (2100) at intersection of Cuckold Pt. Rd.
Location of Signs: Facing Second St. across B. Bowens Dr. on front of B. Bowens
Remarks: [Signature]
Posted by: [Signature]
Date of return: 5/2/91
Number of Signs: 7

CERTIFICATE OF PUBLICATION
TOWSON, MD., 4/19, 1991
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/18, 1991.
THE JEFFERSONIAN,
S. Zate Olson
Publisher
\$38.18
88.18

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

4 N. Center Place
P. O. Box 8936
Dundalk, Md. 21222

April 18, 1991

THIS IS TO CERTIFY, that the annexed advertisement of Baltimore County Zoning Office - Notice of Hearing - Case #91-368-A - P.O. #0111848 - Reg. #M46373 - 60 lines @ \$30.00 was inserted in **The Dundalk Eagle** a weekly newspaper published in Baltimore County, Maryland, once a week for One successive weeks before the 19th day of April 1991; that is to say, the same was inserted in the issues of April 18, 1991.

Kimbel Publication, Inc.
per Publisher.
By *Kimbel Publication, Inc.*

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, Maryland 21204
887-3353

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
Case Number: 91-368-A
Suen Point, N/S Second Street, 15' W of c/l Cuckhold Point Road
2800 Second Avenue
15th Election District - 7th Councilmanic
Petitioner(s): Eric B. Bowen
HEARING: WEDNESDAY, MAY 15, 1991 at 9:00 a.m.

Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

CRITICAL AREA

Account: R-001-4150
Number

Date: 3/25/91

HP100628

PUBLIC HEARING FEES CITY PRICE
CIC - ZONING VARIANCE (1RL) 1 X \$35.00
TOTAL: \$35.00
LAST NAME OF OWNER: C&C DEVEL. CORP.

040440049NCHRC \$35.00
Please Make Checks Payable To: Baltimore County 903:55PM02-25-91
NEXT BUSINESS DAY

Receipt

Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6140
Number

Date: 4/1/91

91-368

Please Make Checks Payable To: Baltimore County 903:55PM02-25-91
NEXT BUSINESS DAY

Receipt

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

DATE: 5/16/91

Eric B. Bowen
4609 Hazelwood Avenue
Baltimore, Maryland 21206

RE:

Case Number: 91-368-A
Suen Point, N/S Second Street, 15' W of c/l Cuckhold Point Road
2800 Second Avenue
15th Election District - 7th Councilmanic
Petitioner(s): Eric B. Bowen
HEARING: WEDNESDAY, MAY 15, 1991 at 9:00 a.m.

Dear Petitioner(s):

Please be advised that \$ 35.00 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

cc: Jeffrey Cerquetti

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

March 29, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-368-A
Suen Point, N/S Second Street, 15' W of c/l Cuckhold Point Road
2800 Second Avenue
15th Election District - 7th Councilmanic
Petitioner(s): Eric B. Bowen
HEARING: WEDNESDAY, MAY 15, 1991 at 9:00 a.m.

Varience to allow a lot width at front building line of 50 ft. and a side street setback of 14 ft. in line of 55 ft. and 25 ft. to construct a single family dwelling.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Eric B. Bowen
Jeffrey Cerquetti

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

April 24, 1991

Eric B. Bowen
4609 Hazelwood Avenue
Baltimore, MD 21206

RE: Item No. 328, Case No. 91-368-A
Petitioner: Eric B. Bowen
Petition for Zoning Variance

Dear Mr. Bowen:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE MINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Jeff Cerquetti
P.O. Box 0137
Timonium, MD 21093

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this 27th day of March, 1991.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:
James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Eric G. Bowen
Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: April 17, 1991

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Eric S. Bowen, Item No. 328

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm
ITEM328/ZAC1

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: April 10, 1991

TO: Mr. J. Robert Haines
Zoning Commissioner

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: March 26, 1991

This office has no comments for items number 328, 341 and 348.

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

RJF/lvd



700 East Popple Road, Suite 300
Towson, MD 21204-5500

(410) 887-6500

MARCH 26, 1991

2. POLICE OFFICE
FIRE DEPARTMENT
OFFICE OF FIRE PREVENTION
10000 GAITHERS ROAD
GAITHERSBURG, MD 20878

TO: DIRECTOR, FIRE DEPARTMENT
FROM: ZONING ADVISORY COMMITTEE
SUBJECT: 328 ZONING VARIANCE PETITION
DATE: MARCH 26, 1991

Continued

Pursuant to your request, the referenced property has been reviewed by the Bureau and the contents below are applicable and required to be collected as shown, attached the plans for the property.

5. The building and structure or items or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 301 "Life Safety Code", 1981 edition, for the occupancy. CHAPTER 22

APPROVED: *John H. Kelly* ZONING COMMISSIONER
DATE: MARCH 26, 1991
FIRE PREVENTION DIVISION
FIRE PREVENTION DIVISION

21/111

received
3/27/91

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: April 4, 1991
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting
for March 26, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 186 (91-257-A), 341, and 348.

For Item 328, the dimensions shown as "paving" are right-of-way widths.

For Item 344, a County Review Group Meeting is required for this site.

For Item 346, a cover of 15 feet +/- over the existing 60-inch sanitary sewer is adequate. Avoid damage to the existing manhole on the bend structure within the truck parking area.

For Item 347, the previous County Review Group comments still apply.

ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. J. Robert Haines
Zoning Commissioner
DATE: April 4, 1991
FROM: Mr. J. James Dieter, Director
SUBJECT: Petition for Zoning Variance - Item 328
Bowen Property
Chesapeake Bay Critical Area Findings

SITE LOCATION

The subject property is located at 2800 Second Street in Swan Point. The site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

APPLICANT'S NAME Mr. Eric Bowen

APPLICANT PROPOSAL

The applicant has requested a variance from section 1802.3.C.1 of the Baltimore County Zoning Regulations to permit a lot width at the front building line of 50 feet and a side street setback of 14 feet in lieu of 55 feet and 25 feet to construct a single family detached house.

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts." <COMAR 14.15.10.01.D>

Memo to Mr. J. Robert Haines
April 4, 1991
Page 2

REGULATIONS AND FINDINGS

1. Regulation: "A minimum 100 foot buffer shall be established landward from the mean high water line of tidal waters, tidal wetlands, and tributary streams" <Baltimore County Code Sec. 22-216(a)>.

Finding: This property is located approximately 200 feet from the tidal waters of the Chesapeake Bay. No disturbance of the shoreline buffer shall occur.

2. Regulation: "No dredging, filling, or construction in any wetland shall be permitted. Any wetland must be adequately protected from contamination" <Baltimore County Code Sec. 22-98>

Finding: No tidal or non-tidal wetlands were found on this site, or in the vicinity of the site.

3. Regulation: "The sum of all man-made impervious areas shall not exceed 15% of the lot" <COMAR 14.15.02.04 C.(7)>.

Finding: The proposed house and existing garage are impervious surfaces that sum to 15%. The driveway shall remain previous, either grass as it is now or gravel underlaid with filter cloth so that the sum of impervious surfaces does not exceed 15%.

4. Regulation: "If no forest is established on proposed development sites, these sites shall be planted to provide a forest or developed woodland of at least 15%" <COMAR 14.15.02.04 C.(5)>.

Finding: This site presently contains 15% tree cover. No trees are proposed to be removed, however, if construction practices necessitate the removal of any trees, these trees shall be replaced.

Trees are an important factor in improving water quality. The roots of trees greatly improve the infiltration rate of storm water and efficiently remove nitrogen from subsurface flows of groundwater. Trees also act as both a barrier and a sponge, blocking and absorbing eroding soils and the phosphorous associated with them.

5. Regulation: "The stormwater management system shall be designed so that:

(1) Development will not cause downstream property, watercourses, channels or conduits to receive stormwater runoff at a higher rate than would have resulted from a ten year frequency storm if the land had remained in its predevelopment state;

Memo to Mr. J. Robert Haines
April 4, 1991
Page 3

(2) Infiltration of water is maximized throughout the site, rather than directing flow to single discharge points; and

(3) Storm drain discharge points are decentralized to simulate the predevelopment hydrologic regime.

(4) There is sufficient storage capacity to achieve water quality goals of COMAR 14.15 and to eliminate all runoff caused by the development in excess of that which would have come from the site if it were in its predevelopment state" <Baltimore County Code, Section 22-217(h)>.

Findings: The applicant agrees that to comply with the above regulation, rooftop runoff shall be directed through downspouts and into Dutch drains or seepage pits and that the driveway and walkway shall be designed to be porous as shown in detail #1. This will encourage maximum infiltration of stormwater and decrease the amount of runoff leaving the site.

CONCLUSION

The Zoning Variance shall be conditioned so the project proposal is in compliance with the Chesapeake Bay Critical Area Regulations and Findings listed above. This proposal does comply with Chesapeake Bay Critical Area Regulations and is therefore approved. If there are any questions, please contact Mr. David C. Flowers at 887-2904.

J. James Dieter
J. James Dieter, Director

JJD:DCF:ju
Attachment

cc: The Honorable Vincent Gardina
The Honorable Donald Mason
Mr. Ronald B. Hickernell
Mrs. Janice B. Outen
Mr. Eric Bowen
Mr. Jeffrey Cerquetti

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



91-368-A

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

March 5, 1991

Eric B. Bowen
4609 Hazelwood Avenue
Baltimore, MD 21206

RE: Petition Filed in Zoning Office
Item Number 328

Dear Petitioner:

This letter is to inform you that, due to a technical problem, your Petition for Variance has not been placed on the agenda for the week of March 12, 1991. According to our records, this Petition was filed on February 25, 1991 with John R. Alexander.

In order for this Petition to be placed on the next agenda, you must contact John Alexander at 887-3391 to rectify the problem.

Very truly yours,

J. Robert Haines

J. Robert Haines
Zoning Commissioner

JRH:scj

cc: Jeffrey Cerquetti, Representative
P.O. Box 0137
Timonium, MD 21093

C & C Development Co., Inc.
P.O. Box 0137
Timonium, Md. 21093
750-4963

LETTER OF TRANSMITTAL CRITICAL AREA

Date: 2/25/91 Job #:

Atten: ZONING

Re: ZONING VARIANCE
SUBMITTAL

91-368-A

We are sending you:

(☒) Attached (☐) Under Separate Cover via the following:

(☐) Shop drawings (☒) Prints (☐) Plans (☐) Samples
(☐) Copy of Letter (☐) Change Order (☐) Spec ☒ FORMS

Copies	Date	No.	Description
3			ORIGINAL SIGNED PETITION FORMS
12	2/22/91	1	SUBJECT PLAT
3			PROPERTY DESCRIPTION
1			PHOTOS
1			ZONING MAP
1			AERIAL MAP

THESE ARE TRANSMITTED as checked below:

(☐) For approval (☐) Approved as is (☐) Resubmit... copies
(☐) For your use (☐) Approved as noted (☐) Submit... copies
(☒) As requested (☐) Ret'd for correct. (☐) Return... corr. prints
(☐) For review & comment (☐)
(☐) For BIDS DUE (☐) PRINTS RETURNED AFTER LOAN TO US

REMARKS: APPLICATION FOR ZONING VARIANCE ON
2800 2ND STREET (ERIC BOWEN RESIDENCE)

COPY TO:

SIGNED

Jeffrey Cerquetti
Jeffrey Cerquetti, EVP

MORTON POLAND
3600 ANTON FARMS ROAD, PIRKESVILLE, MARYLAND 21208

91-368-A

January 8, 1991

Mr. Robert Haines
Zoning Commissioner
Office of Planning & Zoning
Baltimore, Md. 21208

Item # 328

Re: 17-30 Whitelock Road

Dear Mr. Haines

Application for a Special Review has been made to your office with regard to the above property. I am hereby making a sincere request for your consideration to grant me an early hearing date on this matter. My concern is that my home with our front septic system and a prompt hearing would be very helpful to both my event and me.

Sincerely,
Morton Poland

RECEIVED

OFFICE

CRITICAL AREA

91-368-A

This Deed, Made this 16th day of November

In the year one thousand nine hundred and seventy-two, by and between

Bronislaus J. Zabkowski and Helen G. Zabkowski, his wife,
of Baltimore County, State of Maryland, of the first part, and

Louis P. Rolek and Luise P. Rolek, his wife, of the same County and State,
of the second part.

Witnesseth, that in consideration of the sum of Five (\$5.00) Dollars and other
good and valuable considerations, the receipt of which is hereby acknowl-
edged,

the said Bronislaus J. Zabkowski and Helen G. Zabkowski, his wife,

do hereby grant and convey unto the said Louis P. Rolek and Luise P. Rolek,
his wife, as tenants by the entireties, their assigns, and unto the
survivor of them, his or her

heirs and assigns,

in fee simple, all those lot(s) of ground, situate, lying and being in

the County of Baltimore, State of Maryland, and described as follows, that is to say:-

Beginning for the

BEING all those lots of ground known and designated as Lots Nos. Thirty-
four (34), Thirty-five (35) and Thirty-six (36) as outlined on the revised
plat of Swan Point, which plat is duly recorded among the Plat Records of
Baltimore County in Plat Book Liber W.H.M. No. 9, folios 4 and 5.

BEING the same lots of ground which by deed dated July 21, 1959, and re-
corded among the Land Records of Baltimore County in Liber WJR 3568, folio
631, was granted and conveyed by William J. Yarworth, Trustee, to the
within grantors.

AM2 247 21

7837 HSC

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE
SIGNATURE DATE 9/20/72

91-368-A

This Deed, Made this 29th day of September

in the year one thousand nine hundred and Eighty-Two, by and between

GEORGE W. CONNER and RUTH E. CONNER, his wife

of Baltimore County, in the State of Maryland, of the first part, and

LINWOOD G. ROHER and SARA V. ROHER, his wife, of Baltimore County, in the State of

Maryland

of the second part.

Witnesseth, That in consideration of the sum of Twenty-Two Thousand & 00/100 Dollars
(\$22,000.00) and other good and valuable considerations, the receipt whereof is hereby
acknowledged,
the said GEORGE W. CONNER and RUTH E. CONNER, his wife

do grant and convey unto the said LINWOOD G. ROHER and SARA V. ROHER, his wife,
as Tenants by the Entireties, their assigns, the survivor of them, his or her personal
representatives

do hereby and assigns, in fee simple, all that lot of ground, situate, lying and being in
The Fifteenth District of Baltimore County, aforesaid, and described as follows, that is to say:-

BEING known and designated as Lot No. 20 as shown on the Plat of
Swan Point, which Plat is recorded among the Land Records of Baltimore County in Plat
Book WPC No. 7, Folios 162 and 163.

BEING the same lot of ground which by Deed dated June 14, 1972 and recorded among
the Land Records of Baltimore County in Liber. OTG No. 5276, Folio 256, was granted
and conveyed by Grace L. Flack unto the within named Grantors.

B 607 14.00

B 7 TX 110.00

B 8025 110.00

0 #

RECEIVED 254.00

WICONS AND REC 70951

00-305

STATE DEPARTMENT OF
ASSESSMENTS & TAXATION
DATE 9/20/72
CLERK

B 8026*****33000** 8302A

CASE NUMBER

91-368-A



Site 328
Lot 20, Swan Point

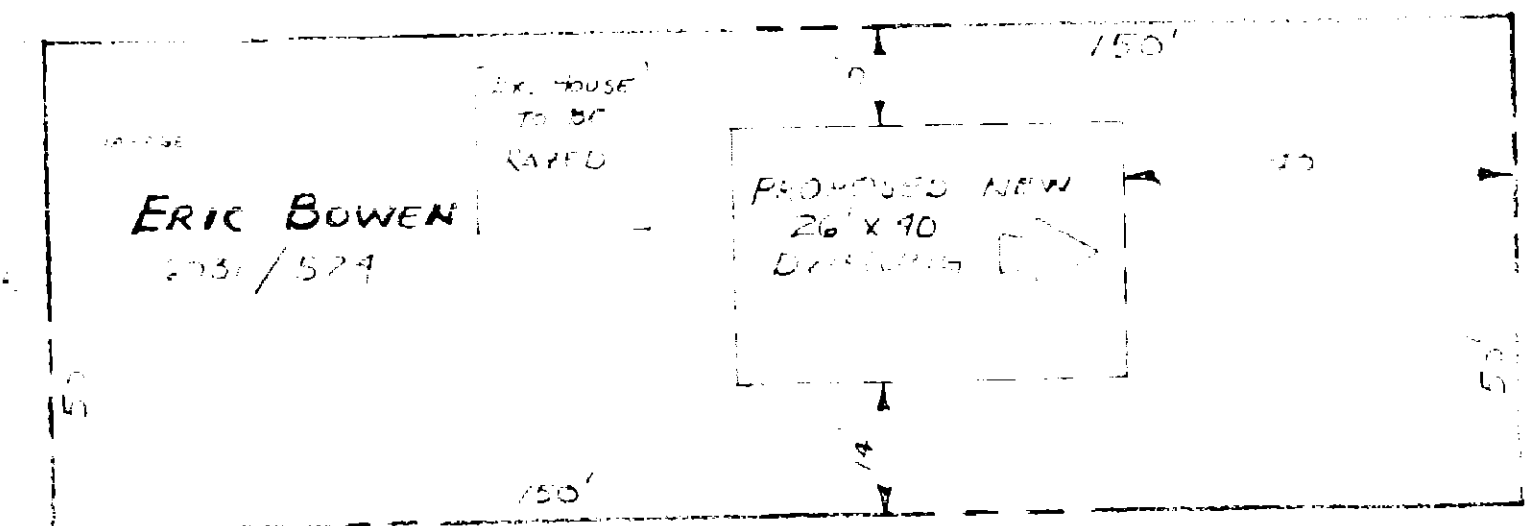


Site 328
Lot 20, Swan Point

PETITIONER'S EXHIBIT #

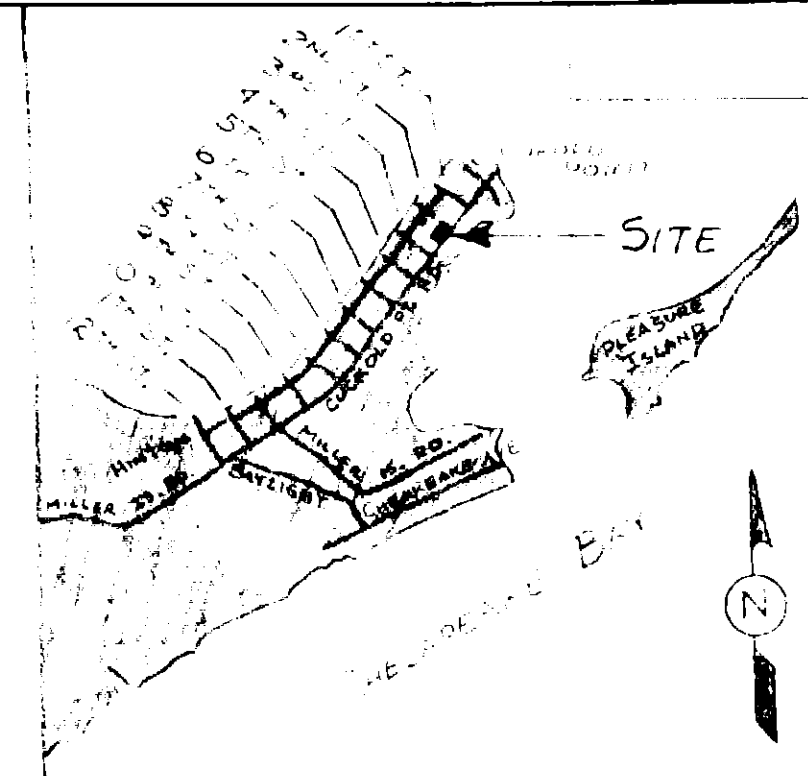
CRITICAL AREA 328

Petitioner's
Exhibit 1



CUCKOLD POINT ROAD

91-368-A



VICINITY MAP
SCALE 1" = 200'

LOCATION INFORMATION
UNINCORPORATED LOT 20, SWAN POINT
ELECTION DISTRICT 15
15000' SCALE MAP USE 6 R
ZONING: DR-5-B
LOT 20, SWAN POINT, BALTIMORE
PUBLIC WATER & SEWER,
SITE IS LOCATED IN CRITICAL AREA,
BUT ZONING IS NOT CRITICAL

ZONING OFFICE USE
REVIEWED: ITEM #: CASE #:

SCALE 1" = 20'
DATE 9/20/72
ZONING VARIANCE PETITION
DRAWING NUMBER 1

CASE NUMBER

91-368-A



Site 328
Lot 20, Swan Point

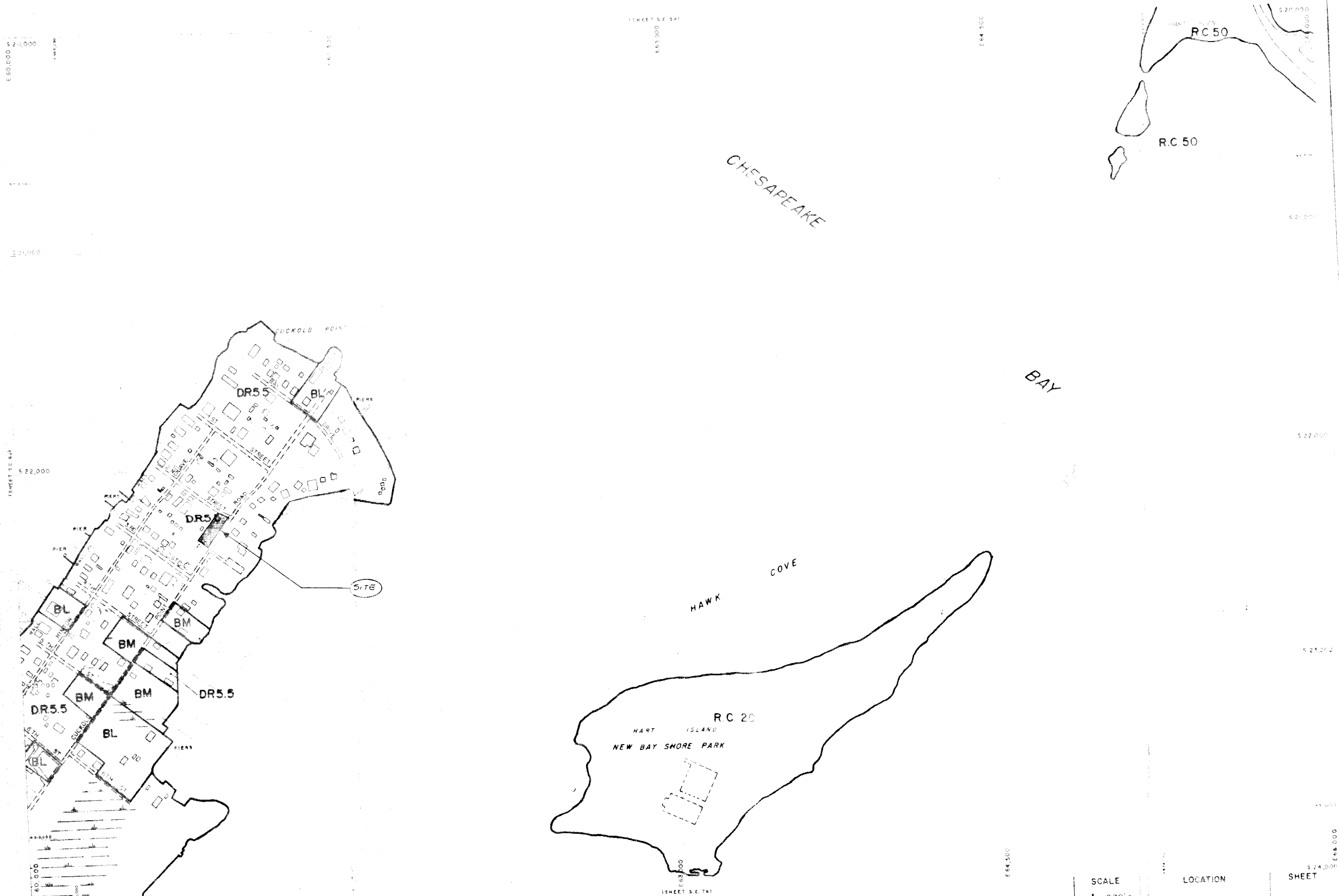


Site 328
Lot 20, Swan Point



Site 328
Lot 20, Swan Point

PETITIONER'S EXHIBIT #



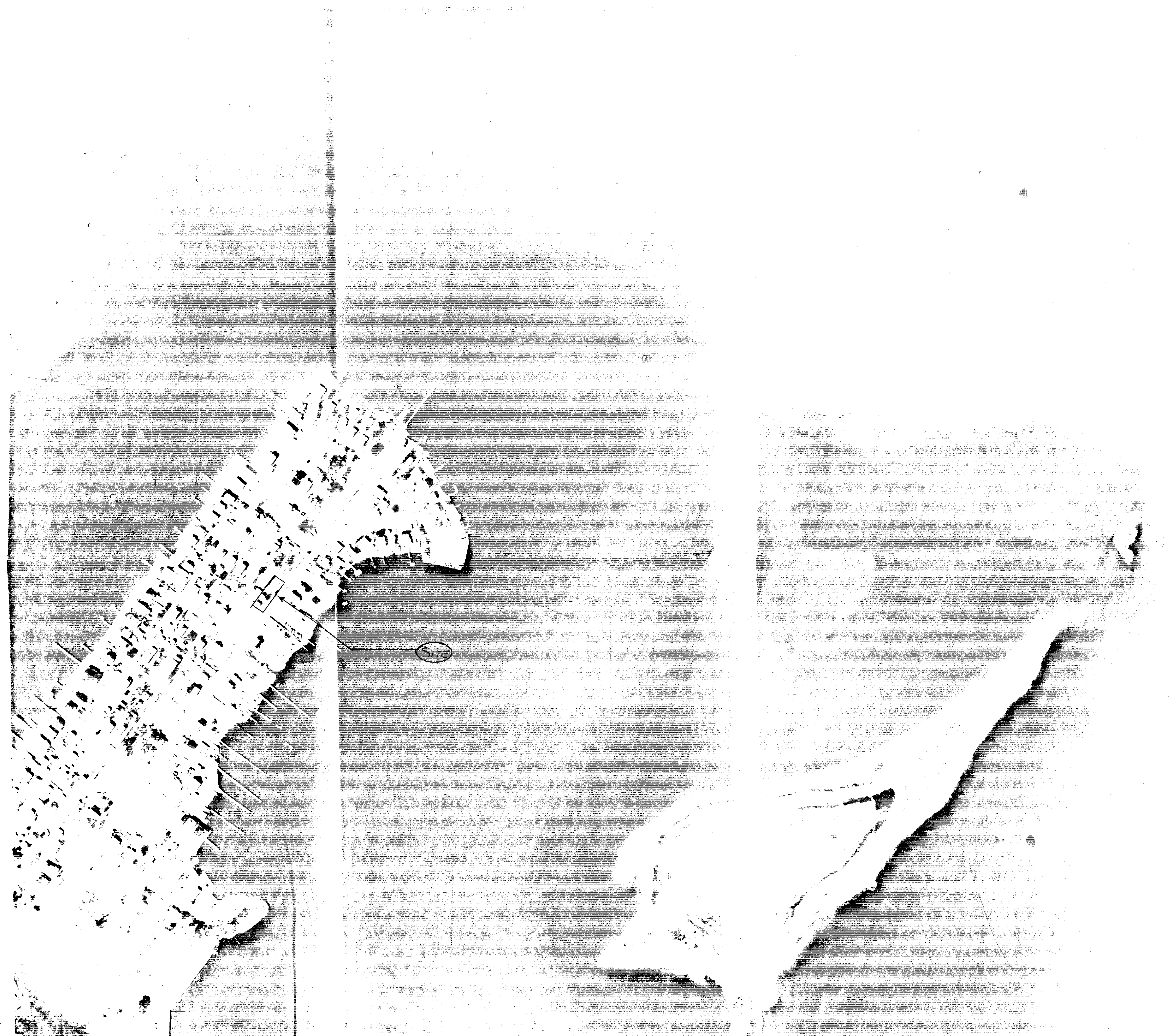
A-NE AA-NW
91-368-A

THIS MAP HAS BEEN REVISED IN SELECTED AREAS
 TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
 BY BUCHART-HORN INC. BALTIMORE, MD 21210

1988 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 10-11-88 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88
 Charles County Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

SCALE 1" = 200'	LOCATION CUCKOLD POINT NEW BAY SHORE PARK	SHEET S E 6 K
DATE OF PHOTOGRAPHY JANUARY 1986		



CRITICAL AREA

328

91-368-A

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200'

DATE
OF
PHOTOGRAPHY
JANUARY
1968

LOCATION
CUCKOLD POINT
NEW BAY SHORE PARK

SHEET
SE
6A